

UNITED STATES DISTRICT COURT

for the

Southern District of MississippiSouthern DivisionTorey Smith Miller

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Mrs Erica B. -v-
 Krystals Company Etc Al
 Mr Robert

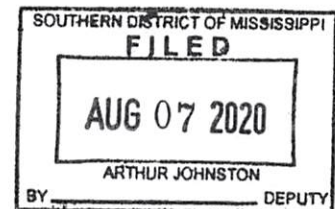
Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

Case No.

3:20cv516 CWR-LRA
 (to be filled in by the Clerk's Office)

Jury Trial: (check one)

☒ Yes☐ No

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS
 (Non-Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

Pro Se 15 (Rev. 12/16) Complaint for Violation of Civil Rights (Non-Prisoner)

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Address

County

Telephone Number

E-Mail Address

Yoray Smith miller
 3527 ~~Ridge~~ Ridgecrest Dr
 Jxn mb 39212
 City State Zip Code
 Hind S
 601-594-1704
 Fosterham212A@Gmail.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name

Job or Title (if known)

Address

County

Telephone Number

E-Mail Address (if known)

Mrs Erica D.
 General Manager
 1257 W. Government St
 Brandon ms 39042
 City State Zip Code
 Rankin
 601-825-5011
☒ Individual capacity ☒ Official capacity

Defendant No. 2

Name

Job or Title (if known)

Address

County

Telephone Number

E-Mail Address (if known)

Mr. Robert
 District Manager
 1257 W. Government St
 Brandon ms 39042
 City State Zip Code
 Rankin
 601-825-5011
☒ Individual capacity ☒ Official capacity

Pro Se 15 (Rev. 12/16) Complaint for Violation of Civil Rights (Non-Prisoner)

Defendant No. 3

Name

Krishtals Company

Job or Title (if known)

Corporate

Address

1257 W Government St

Orlando

ms

39042

City

State

Zip Code

County

BANKIN

Telephone Number

401-825-5011

E-Mail Address (if known)



Individual capacity



Official capacity

Defendant No. 4

Name

Job or Title (if known)

Address

City

State

Zip Code

County

Telephone Number

E-Mail Address (if known)



Individual capacity



Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

Federal officials (a *Bivens* claim)

State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

discrimination, Retaliation, ETC All use 42.1983 All That Counts

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

I Reported Issues To KRISTAL'S company Related To Some Issues within the location I worked for located within Brandon MS After the Events Reported Mrs Erica Had Begin To Reduce my hours she was making outburst towards me Furthermore the District Manager Mr Robert has made threats to me that if I keep calling corporate I would be fired

III. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. Where did the events giving rise to your claim(s) occur?

KRISTAL'S In Brandon MS

- B. What date and approximate time did the events giving rise to your claim(s) occur?

Started Month of June, July, Aug - 20

- C. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

I WAS cut HOURS I WAS sent Home By Erica B
At later TRANSFERRED To A different KRISTAL'S AS The new store
GM STATED to me that I'm sorry you want though what
you did in Brandon But we want discriminate because
of what you are Mr Robert said you & Mrs Erica was having
problems BECAUSE of your Gender

Case 3:20-cv-00516-CWR-LRA Document 1 Filed 08/07/20 Page 5 of 7
There were a Health Officer visited the store by the state of ms Erica had begin to
make direct and indirect statements that I'm gone yet foray I then reported
concerns to ~~Human~~ Human Resource I was reach out to so nothing was done but a
call back from District manager Mr. Robert Statin to me that foray would you
like to transfer because Erica is having issues with your sexuality so
it's best you be moved to a location I'm being harassed and place within
a hostile ~~work~~ workplace after Human Resource was advised of
possible harassment concerns

Foray Smith Miller

8-7-20

Pro Se 15 (Rev. 12/16) Complaint for Violation of Civil Rights (Non-Prisoner)

IV. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

Emotional distress, slander, pain & suffering, ETC.

V. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

I would Ask the court to Have Erica D. Fined
monetary damages, 50,000
Punitive damages,
General damages,
Compensatory damages.

Jorey Smith Miller
08-07-20

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 8-7-20

Signature of Plaintiff

Printed Name of Plaintiff

Torey Smith miller
Torey Smith miller

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

City

State

Zip Code

Telephone Number

E-mail Address